### **EXHIBIT 6** (Pt. 1)

William P. Frank (WF-7504) Matthew J. Matule SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP Four Times Square New York, New York 10036 (212) 735-3000

Counsel for Respondent PricewaterhouseCoopers LLP

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

In re: Subpoena Issued to :

PRICEWATERHOUSECOOPERS LLP,

for the Action Entitled In re Organogenesis, Inc. Securities Litigation, Civil Action No. 1:04 CV 10027-JLT, Pending in the United States District Court for the District of Massachusetts.

Miscellaneous Action

No.: M8-85

### DECLARATION OF MATTHEW J. MATULE IN SUPPORT OF NON-PARTY RESPONDENT PRICEWATERHOUSECOOPERS LLP'S MEMORANDUM OF LAW IN OPPOSITION TO PETITIONERS' MOTION TO COMPEL

I, MATTHEW J. MATULE, hereby declare as follows:

1. I am a partner in the law firm of Skadden, Arps, Slate, Meagher & Flom, LLP, counsel to Non-Party Respondent PricewaterhouseCoopers LLP ("PwC") in the above-captioned miscellaneous action and in the underlying Organogenesis\* proceeding pending in the District of Massachusetts. I submit this declaration in support of Non-Party Respondent PwC's Memorandum Of Law In Opposition To Petitioners' Motion To Compel.

<sup>\*</sup> In re Organogenesis Sec. Litig., Civ. No. 04-10027-JLT (D.Mass.)

- 2. Non-party PwC was served by Petitioners on June 19, 2006 with a thirdparty subpoena dated June 16, 2006 (the "Subpoena") and, by agreement with Petitioners, timely served its responses and objections on July 11, 2006. Both prior to service of the response to the Subpoena and in the objections to the Subpoena, PwC stated to Petitioners that any production of documents was contingent on the Petitioners agreement regarding the reimbursement of costs and expenses. Petitioners never mentioned, at that time or for at least six months thereafter, any concessions or other measures that might lessen the burden and expense imposed on PwC by the Subpoena.
- 3. In connection with preparing its responses and objections to the Subpoena counsel for PwC took all reasonably necessary and appropriate steps to review the voluminous documentation that PwC had previously collected and preserved at the outset of the D. Mass. litigation that was potentially responsive to the Subpoena. PwC had gathered approximately 30,000 pages of potentially relevant documents, or the equivalent of more than 12 boxes of material.
- 4. Each document that had been collected was reviewed on a page-by-page basis to determine relevance and responsiveness to the Subpoena's thirty-five separate document requests and sub-parts. Work papers for the nine quarterly reviews and three annual audits during the relevant fiscal years (1999-2001) also were reviewed. A further review of all documents for privilege was conducted as necessary. In addition to document review and analysis, PwC also had to perform legal research relating to the Subpoena, as well as draft, edit and serve its responses and objections to the Subpoena. This also required PwC to correspond with Petitioners throughout the June and July 2006 time period by email, letter and telephone.

- 5. In total, this extensive document review and other work in connection with serving the July 2006 response to the Subpoena took approximately 200 hours of attorney time, including 20 hours of partner time and 180 hours of associate time. Additional hours were incurred by legal assistants, legal technology representatives and office administrative assistants assisting with the review and response in connection with the Subpoena. Each task was accomplished by a person of the necessary skill and appropriate experience level.
- 6. As of the July 11, 2006 response to the Subpoena, PwC's costs of compliance in connection with all of the foregoing work were approximately \$110,000. (The recent negotiations and motion practice over the appropriate scope of production and extent of reimbursement only have increased PwC's expenses relating to the Subpoena.) The hourly rate applied is standard and reasonable for the nature of this litigation. To date, PwC has incurred and paid for all compliance expenses related to this Subpoena. Due to the privileged nature of the billing statements, and in the event the Court deems it appropriate, PwC is prepared to submit its invoices in camera for the Court's review in connection with PwC's request for reimbursement of fees and expenses.
- 7. Attached hereto as Exhibit 1 is a true and correct copy of the July 20, 2005

  Memorandum in In re Organogenesis Securities Litigation, Civ. A. No. 04-10027-JLT (D. Mass.).
- 8. Attached hereto as Exhibit 2 is a true and correct copy of the July 20, 2005 Order in In re Organogenesis Securities Litigation, Civ. A. No. 04-10027-JLT (D. Mass.).
- 9. Attached hereto as Exhibit 3 is a true and correct copy of the May 10, 2006 Final Judgment As To PricewaterhouseCoopers LLP in <u>In re Organogenesis Securities</u>
  Litigation, Civ. A. No. 04-10027-JLT (D. Mass.).

- 10. Attached hereto as Exhibit 4 is a true and correct copy of an email exchange between Peter Sloane and Matthew J. Matule on July 7, 2006 and July 11, 2006.
- 11. Attached hereto as Exhibit 5 is a true and correct copy of the docket in <u>In</u> re <u>Organogenesis Securities Litigation</u>, Civ. A. No. 04-10027-JLT (D. Mass.) as of March 1, 2007.
- 12. Attached hereto as Exhibit 6 is a true and correct copy of the transcript of the February 5, 2007 hearing on class certification in <u>In re Organogenesis Securities Litigation</u>, Civ. A. No. 04-10027-JLT (D. Mass.).

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS  $1^{\rm ST}$  DAY OF MARCH 2007.

Matthew I Matule

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### UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

IN RE ORGANOGENESIS SECURITIES LITIGATION

Civil Action No. 04-10027-JLT

#### **MEMORANDUM**

July 20, 2005

TAURO, J.

Plaintiffs have stated claims against the former officers and directors of Organogenesis, Inc., with one exception, for violations of sections 10(b) and 20(a) of the Securities Exchange Act and Rule 10b-5 promulgated thereunder. The case against PricewaterhouseCoopers, LLP (hereinafter "PwC") is a different matter.

Plaintiffs have brought a fraud claim against PwC alleging that the independent auditor acted recklessly in giving Organogenesis a clean audit letter for its year-end 2000 financial statements. Plaintiffs also allege that PwC did not audit Organogenesis's 2000 financial statements in accordance with generally accepted auditing standards ("GAAS"). PwC has moved to dismiss these claims for failing to satisfy the pleading requirements of the Private Securities Litigation Reform Act ("PSLRA") and Rule 9(b) of the Federal Rules of Civil Procedure.

<sup>&</sup>lt;sup>1</sup>See the accompanying order with respect to Defendant Alan Ades.

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#### Discussion

"Courts assessing claims against independent accountants and auditors under the PSLRA have placed the bar high."<sup>2</sup>

For recklessness on the part of a non-fiduciary accountant to satisfy securities fraud scienter, such recklessness must be conduct that is highly unreasonable, representing an extreme departure from the standards of ordinary care. It must, in fact, approximate an actual intent to aid in the fraud being perpetrated by the audited company. In other words, the plaintiff must prove that the accounting practices were so deficient that the audit amounted to no audit at all, or an egregious refusal to see the obvious, or to investigate the doubtful, or that the accounting judgments which were made were such that no reasonable accountant would have made the same decision if confronted with the same facts.<sup>3</sup>

"A plaintiff may satisfy this high burden by pleading with specificity that the auditor was aware of, but failed to investigate, certain 'red flags' that plainly indicated misconduct was afoot."

Plaintiffs allege that PwC ignored three "red flags" in connection with its audit that support a strong inference of scienter. Plaintiffs' first alleged "red flag" is Defendant Albert Erani's failure to sign audit confirmations in March 2001 "relating to his holdings of the Company's convertible debt." This red flag allegedly "eroded" PwC's confidence in representations made by management and the board of directors, and led to a "loss of the Company's credibility" with PwC. Plaintiffs, however, make no attempt to explain how

<sup>&</sup>lt;sup>2</sup>In re Raytheon Sec. Litig., 157 F. Supp. 2d 131, 154 (D. Mass. 2001).

<sup>&</sup>lt;sup>3</sup><u>Id.</u> (internal quotations and citations omitted).

<sup>&</sup>lt;sup>4</sup><u>Id.</u> (citing <u>In re Health Mgmt., Inc. Sec. Litig.</u>, 970 F. Supp. 192, 203 (E.D.N.Y. 1997).

<sup>&</sup>lt;sup>5</sup>Consol. Am. Class Action Compl. for Violations of Fed. Sec. Laws ("Compl.") ¶ 111; see also Compl. ¶ 174(a)-(b).

<sup>&</sup>lt;sup>6</sup>Compl. ¶ 111 (quoting the Confidential Arcari Document).

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Defendant Erani's failure to sign these audit confirmations relates to Organogenesis's 2000 financial statements. This vague allegation does not specify what management or board representations were involved, or even when they were made. As such, this red flag is insufficient to raise a strong inference of scienter with respect to PwC's clean audit letter.

Plaintiffs' next red flag concerns a purported violation of Organogenesis's commitment to exercise the "first tranche" of the \$20 million Novartis "put option" by May of 2001.<sup>7</sup> This red flag doesn't fly because it occurred months after PwC issued its audit opinion in March of 2001.<sup>8</sup> This information simply did not exist at the time of PwC's audit.

Plaintiffs' third purported red flag is that PwC "knew of, or recklessly disregarded, the terms of the Novartis marketing agreement," which allegedly caused Organogenesis to lose money on every product sold. In an attempt to particularize this allegation of scienter, Plaintiffs state that "[PwC] and its personnel were regularly present at Organogenesis and had intimate knowledge of Organogenesis' financial reporting practices based on its access to confidential internal corporate, financial, operating and business information." As Judge Lindsay has observed, "[T]his statement could be made in relation to the auditor of every corporation. If it

<sup>&</sup>lt;sup>7</sup>Compl. ¶ 174(c).

<sup>&</sup>lt;sup>8</sup>See In re Stone & Webster, Inc., Sec. Litig., 253 F. Supp. 2d 102, 134 (D. Mass. 2003) (explaining that red flags limited to a latter time frame were irrelevant to the audit reports at issue).

<sup>&</sup>lt;sup>9</sup>Compl. ¶ 174(d).

<sup>&</sup>lt;sup>10</sup>Compl. ¶ 172.

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were sufficient to plead scienter, it might make every auditor liable in cases of securities fraud."<sup>11</sup>
This third red flag, therefore, remains both a conclusory allegation and one that does not support a strong inference of scienter.

As for Plaintiffs' boilerplate violations of GAAS, it is well-settled that allegations of a failure to conform to GAAP and GAAS, without more, are insufficient to plead scienter under Section 10(b) and Rule 10b-5.<sup>12</sup> Moreover, Plaintiffs' list of alleged auditing violations fails to particularize how PwC's conduct deviated from GAAS.<sup>13</sup>

Plaintiffs do not allege that any of the hard financial data contained in Organogenesis's 2000 financial statements were misleading or inaccurate. Plaintiffs do not claim that the company failed to accurately report its losses. At best, Plaintiffs have pled sufficient facts that, if true, demonstrate PwC's negligence in failing to realize, early enough, that Organogenesis was destined for bankruptcy. This is not fraud. For the foregoing reasons, PwC's Motion to Dismiss is ALLOWED.

AN ORDER WILL ISSUE.

/s/ Joseph L. Tauro
United States District Judge

<sup>&</sup>lt;sup>11</sup>In re Stone & Webster, 253 F. Supp. 2d at 134 (quoting Kennilworth Partners L.P. v. Cendant Corp., 59 F. Supp. 2d 417, 429 (D.N.J. 1999)).

<sup>&</sup>lt;sup>12</sup><u>Id.</u> at 133 ("'[W]ithout additional allegations of particular facts and circumstances[,] violations of GAAP and GAAS generally do not give rise to an inference of scienter.") (quoting <u>In re Raytheon Sec. Litig.</u>, 157 F. Supp. 2d 131, 155 (D. Mass, 2001)).

<sup>&</sup>lt;sup>13</sup>See Mem. of Law in Supp. of Def. PwC's Mot. Dismiss Tab. A.

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### UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

IN RE ORGANOGENESIS SECURITIES LITIGATION

Civil Action No. 04-10027-JLT

#### **ORDER**

July 20, 2005

#### TAURO, J.

This court hereby orders that:

- For the reasons set forth in accompanying Memorandum, <u>PricewaterhouseCoopers</u>
   <u>LLP's Motion to Dismiss</u> [#60] is ALLOWED;
- Defendant Herbert M. Stein's Motion to Dismiss the Corrected Consolidated
   Amended Class Action Complaint [#63] is DENIED;
- 3. Motion of Defendants Alan Ades, John Arcari, Albert Erani, Philip Laughlin,
  Donna Lopolito, Michael Sabolinski, and Alan Tuck to Dismiss the Corrected
  Consolidated Amended Class Action Complaint [#67] is ALLOWED with respect
  to Plaintiffs' claims against Defendant Alan Ades;
- 4. Plaintiffs may amend the complaint, within thirty (30) days from the date of this order, to plead with particularity the fraudulent statements made during the Class Period for which Alan Ades is allegedly responsible; and

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Motion of Defendants Alan Ades, John Arcari, Albert Erani, Philip Laughlin,
 Donna Lopolito, Michael Sabolinski, and Alan Tuck to Dismiss the Corrected
 Consolidated Amended Class Action Complaint [#67] is otherwise DENIED.
 IT IS SO ORDERED.

/s/ Joseph L. Tauro
United States District Judge

### UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

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IN RE ORGANOGENESIS SECURITIES LITIGATION : Civil Action No. 04-10027-JLT

<del>(PROPOS</del>ED) FINAL JUDGMENT AS TO PRICEWATERHOUSECOOPERS LLP

In accordance with this Court's July 20, 2005 allowance of a motion to dismiss as to all claims against defendant PricewaterhouseCoopers LLP ("PwC"), with prejudice and without leave to replead, pursuant to a Memorandum and separate Order (Docket Nos. 83, 84), and this Court's April 26, 2006 allowance of PwC's Unopposed Motion For Entry Of Separate And Final Judgment, and there being no just reason for delay, it is hereby ORDERED that separate and final judgment pursuant to Fed. R. Civ. P. 54(b) is entered in favor of PwC and against plaintiffs as to all counts and claims in the above-captioned action.

Dated: May 10, 2006

Loseph LL Tauro

United States District Judge

From: Matule, Matthew

Sent: Tuesday, July 11, 2006 4:16 PM

To: 'Sloane, Peter'

Subject: RE: In re Organogenesis Sec. Litig. (D. Mass.)

#### Peter:

Thank you for the further two-day extension regarding objections and responses to the June 16, 2006 subpoena to PwC and for your July 7, 2006 response. We will serve the written objections and responses later today.

As you might expect, we disagree with your position and the corresponding assertion of any prejudice. Given that plaintiffs apparently have twice sought to extend their time to respond to defendants' motion for entry of a confidentiality protective order (now due July 25, 2006), the "delay" argument you hint at is untenable. We also discussed previously that any production that does occur will be predicated upon plaintiffs' agreement to reimburse PwC for the costs and fees incurred in connection with its response to the subpoena. Under the applicable case law, which we believe Judge Tauro will find persuasive, this matter also will need to be resolved in advance of any production so as not to be deemed a waiver of that objection. Nevertheless, I believe we can work cooperatively and look forward to speaking with you after you have had an opportunity to consider PwC's response to the subpoena.

Matt.

From: Sloane, Peter [mailto:PSloane@milbergweiss.com]

Sent: Friday, July 07, 2006 3:17 PM

To: Matule, Matthew

Subject: RE: In re Organogenesis Sec. Litig. (D. Mass.)

Matt,

You have our agreement to extend the time to Tuesday. But please note our position that the date of your response is for the production of all responsive documents, not simply for service of response and objections. Given the tight schedule for discovery that Judge Tauro has set in our case, a further delay in production would not only be inconsistent with PwC's obligations under the Federal Rules, but would also be prejudicial. At the very least, we expect PwC to produce all documents to which it does not object. Given that Judge Tauro specifically granted us leave to serve this subpoena, and that PwC is a former defendant, we believe that the Court would require no less. My agreement to the extension is not conditional on your assent to our position though.

Peter

CONSOLIDATED, LEAD

### United States District Court District of Massachusetts (Boston) CIVIL DOCKET FOR CASE #: 1:04-cv-10027-JLT

Hofmann v. Laughlin et al

Assigned to: Judge Joseph L. Tauro

Cause: 28:1331 Fed. Question: Securities Violation

Date Filed: 01/07/2004 Jury Demand: Plaintiff

Nature of Suit: 160 Stockholders Suits

Jurisdiction: Federal Question

Date Filed	#	Docket Text
01/07/2004	1	CLASS ACTION COMPLAINT against Alan Ades, John J. Arcari, Albert Erani, Philip Laughlin, Donna Abelli Lopoloti, Bernard A. Marden, Novartis Pharma AG, PricewaterhouseCoopers, LLP, Michael Sabolinski, Herbert M. Stein, Alan W. Tuck Filing fee: \$ 150, receipt number 52964, filed by Bruno Hofmann. (Attachments: # 1 PART 2 OF COMP# 2 PART 3 OF COMP# 3 PART 4 OF COMP)(Spencer, Sherry) (Entered: 01/15/2004)
01/07/2004		Summons Issued as to Alan Ades, John J. Arcari, Albert Erani, Philip Laughlin, Donna Abelli Lopoloti, Bernard A. Marden, Novartis Pharma AG, PricewaterhouseCoopers, LLP, Michael Sabolinski, Herbert M. Stein, Alan W. Tuck. (Spencer, Sherry) (Entered: 01/15/2004)
01/07/2004		If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Dein. (Spencer, Sherry) (Entered: 01/15/2004)
02/03/2004	<u>2</u>	SUMMONS Returned Executed PricewaterhouseCoopers, LLP served on 1/29/2004, answer due 2/18/2004. (Spencer, Sherry) (Entered: 02/09/2004)
02/10/2004	3	SUMMONS Returned Executed Philip Laughlin served on 2/6/2004, answer due 2/26/2004. (Folan, Karen) (Entered: 02/12/2004)
02/10/2004	4.	SUMMONS Returned Executed Donna Abelli Lopoloti served on 2/6/2004, answer due 2/26/2004. (Folan, Karen) (Entered: 02/12/2004)
02/12/2004	5	MOTION for Extension of Time to File Answer re 1 Complaint, by Bruno Hofmann, PricewaterhouseCoopers, LLP.(Bell, Marie) (Entered: 02/19/2004)
02/13/2004	6	SUMMONS Returned Executed Michael Sabolinski served on 2/9/2004, answer due 3/1/2004. (Bell, Marie) (Entered: 02/19/2004)
02/13/2004	.7	SUMMONS Returned Executed John J. Arcari served on 2/9/2004, answer due 3/1/2004. (Bell, Marie) (Entered: 02/19/2004)
02/13/2004	8	SUMMONS Returned Executed Alan W. Tuck served on 2/9/2004,

		answer due 3/1/2004. (Bell, Marie) (Entered: 02/19/2004)
02/19/2004	<u>9</u>	NOTICE of Appearance by Jonathan A. Shapiro, Jeffrey B. Rudman on behalf of Donna Abelli Lopoloti (Folan, Karen) Additional attachment(s) added on 2/23/2004 (Folan, Karen). (Entered: 02/23/2004)
02/19/2004	<u>10</u>	NOTICE of Appearance by Jeffrey B. Rudman, Jonathan A. Shapiro on behalf of Michael Sabolinski (Folan, Karen) (Entered: 02/23/2004)
02/24/2004	11	NOTICE of Appearance by Jeffrey B. Rudman, Jonathan A. Shapiro on behalf of Philip Laughlin. c/s. (Bell, Marie) (Entered: 02/27/2004)
02/25/2004		Judge Joseph L. Tauro: Endorsed ORDER entered granting 5 Motion for Extension of Time to Answer. (Rynne, Michelle) (Entered: 03/01/2004)
03/03/2004	12	NOTICE of Appearance by Jeffrey B. Rudman, Jonathan A. Shapiro on behalf of Albert Erani (Abaid, Kim) (Entered: 03/08/2004)
03/03/2004	13	NOTICE of Appearance by Jeffrey B. Rudinan, Jonathan A. Shapiro on behalf of Alan Ades (Abaid, Kim) (Entered: 03/08/2004)
03/10/2004	14	STIPULATION and Order to Extend Time to Respond to Complaint by Alan Ades, Albert Erani. (Shapiro, Jonathan) (Entered: 03/10/2004)
03/15/2004		Judge Joseph L. Tauro: Electronic ORDER entered granting 14 Stipulation to extend time to respond to complaint filed by Albert Erani, Alan Ades(Abaid, Kim) (Entered: 03/15/2004)
03/22/2004	<u>15</u>	MOTION to Consolidate Cases, for Appointment as Lead Plaintiff, and for Approval of Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel by Hofmann Group.(Gans, Nancy) (Entered: 03/22/2004)
03/22/2004	<u>16</u>	MEMORANDUM OF LAW by Hofmann Group to 15 MOTION to Consolidate Cases, for Appointment as Lead Plaintiff, and for Approval of Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel. (Gans Nancy) (Entered: 03/22/2004)
03/22/2004	17	NOTICE by Hofmann Group of Filing with Clerk's Office of the Declaration of Nancy Freeman Gans in Support of the Motion of the Hofmann Group for Consolidation, Appointment as Lead Plaintiff and for Approval of Its Selection of Lead Counsel and Liaison Counsel, with Exhibits (Gans, Nancy) (Entered: 03/22/2004)
03/22/2004	<u>18</u>	NOTICE by Hofinann Group of Filing with Clerk's Office of [Proposed] Order Consolidating the Actions, Appointing Lead Plaintiff, and Approving Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel (Gans, Nancy) (Entered: 03/22/2004)
03/22/2004	<u>19</u>	SUMMONS Returned Executed Albert Erani served on 3/11/2004, answer due 3/31/2004. (Abaid, Kim) (Entered: 03/23/2004)
03/22/2004	<u>20</u>	SUMMONS Returned Executed Alan Ades served on 3/11/2004, answer due 3/31/2004. (Abaid, Kim) (Entered: 03/23/2004)
03/22/2004	28	Motion of Lorene Crawford, Eric D. Winkelman as Trustee for Eric D.

		Winkelman Trust, Kenneth Wiener, and Victor Kraiem for Consolidation of the related actions, appointment as lead plaintiffs, and approval of their choice of lead counsel. (Abaid, Kim) (Entered: 04/02/2004)
03/22/2004	<u>29</u>	Memorandum of Lorene Crawford, Eric D. Winkelman as Trustee for Eric D. Winkelman Trust, Kenneth Wiener and Victor Kraiem in support of 28 motion to consolidate the actions, be appointed lead plaintiffs, and for approval of their choice of lead counsel. (Abaid, Kim) Modified on 4/2/2004 (Abaid, Kim). Modified on 4/2/2004 (Abaid, Kim). (Entered: 04/02/2004)
03/22/2004	<u>30</u>	Declaration of Peter Lagorio in Support re 28 MOTION to Consolidate Cases. (Abaid, Kim) (Entered: 04/02/2004)
03/26/2004	<u>21</u>	SUMMONS Returned Executed Bernard A. Marden served on 2/14/2004, answer due 3/5/2004. (Abaid, Kim) (Entered: 03/29/2004)
03/26/2004	<u>22</u>	SUMMONS Returned Executed Herbert M. Stein served on 2/14/2004, answer due 3/5/2004. (Abaid, Kim) (Entered: 03/29/2004)
03/29/2004	<u>23</u>	CORPORATE DISCLOSURE STATEMENT by PricewaterhouseCoopers, LLP. (Abaid, Kim) (Entered: 03/31/2004)
03/29/2004	<u>24</u>	NOTICE of Appearance by James R. Carroll, Matthew J. Matule on behalf of PricewaterhouseCoopers, LLP (Abaid, Kim) (Entered: 03/31/2004)
03/29/2004	<u>25</u>	MOTION to Dismiss by PricewaterhouseCoopers, LLP.(Abaid, Kim) (Entered: 03/31/2004)
03/29/2004	<u>26</u>	MEMORANDUM in Support re 25 MOTION to Dismiss filed by PricewaterhouseCoopers, LLP. (Abaid, Kim) (Entered: 03/31/2004)
03/31/2004	<u>27</u>	NOTICE of Appearance by Jonathan A. Shapiro on behalf of John J. Arcari (Shapiro, Jonathan) (Entered: 03/31/2004)
04/01/2004	<u>35</u>	NOTICE of Appearance by Peter M. Saparoff on behalf of Herbert M. Stein (Abaid, Kim) (Entered: 04/12/2004)
04/02/2004	31	NOTICE by Bruno Hofmann of Withdrawal of Motion to Appoint Lorene Crawford, Eric D. Winkelman as Trustee for Eric D. Winkelman Trust, Kenneth Wiener, and Victor Kruiem as Lead Plaintiffs (Lagorio, Peter) (Entered: 04/02/2004)
04/02/2004	<u>32</u>	CERTIFICATE OF SERVICE by Bruno Hofmann re 31 Notice (Other) of Withdrawal of Motion to Appoint Lorene Crawford, Eric D. Winkelman as Trustee for Eric D. Winkelman Trust, Kenneth Wiener, and Victor Kraiem as Lead Plaintiffs. (Lagorio, Peter) (Entered: 04/02/2004)
04/05/2004	<u>33</u>	RESPONSE to Motion re 28 MOTION to Consolidate Cases filed by PricewaterhouseCoopers, LLP. (Flaherty, Elaine) (Entered: 04/08/2004)
04/05/2004	34	RESPONSE to Motion re 28 MOTION to Consolidate Cases filed by PricewaterhouseCoopers, LLP. (Flaherty, Elaine) (Entered: 04/08/2004)

04/05/2004	<u>43</u>	STIPULATION and PROPOSED order consolidating Actions, Appointing Lead Plaintiff and Approving Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel by Bruno Hofmann. (Abaid, Kim) (Entered: 07/15/2004)
04/05/2004		Motions terminated: <u>28 MOTION</u> to Consolidate Cases filed by Bruno Hofmann,. WITHDRAWN with entry of <u>43 STIPULATION</u> . (Abaid, Kim) (Entered: 01/12/2005)
04/06/2004	<u>36</u>	Stipulation and Order for Extension of Time to 45 Days to File Answer re 1 Complaint, by Bruno Hofmann, Herbert M. Stein. (Abaid, Kim) (Entered: 04/12/2004)
04/06/2004	<u>37</u>	NOTICE of Appearance by Jeffrey B. Rudman, Jonathan A. Shapiro on behalf of Bernard A. Marden (Abaid, Kim) (Entered: 04/12/2004)
04/12/2004	38	MOTION to Strike 25 Pricewaterhousecoopers LLP's MOTION to Dismiss by Bruno Hofmann.(Abaid, Kim) (Entered: 04/14/2004)
04/12/2004	<u>39</u>	CERTIFICATE OF CONSULTATION re 38 MOTION to Strike 25 MOTION to Dismiss by Nancy F. Gans on behalf of Bruno Hofmann. (Abaid, Kim) (Entered: 04/14/2004)
04/12/2004	<u>40</u>	Preliminary Opposition re <u>25</u> MOTION to Dismiss and Memorandum in Support of Plaintiffs Motion to Strike Pricewaterhousecoopers' Motion to Dismiss filed by Bruno Hofmann. (Abaid, Kim) (Entered: 04/14/2004)
04/12/2004	41	NOTICE of Appearance by Breton T. Leone-Quick on behalf of Herbert M. Stein (Abaid, Kim) (Entered: 04/14/2004)
04/26/2004	<u>42</u>	Opposition re 38 MOTION to Strike 25 MOTION to Dismiss filed by PricewaterhouseCoopers, LLP. (Abaid, Kim) (Entered: 04/27/2004)
07/20/2004		Judge Joseph L. Tauro: Electronic ORDER entered Approving 43STIPULATION AND ORDER Consolidating Actions Appointing Lead Plaintiff and Approving Lead Plaintiffs Selection of Lead Counsel and Liaison Counsel(Abaid, Kim) (Entered: 07/21/2004)
08/17/2004	44	STIPULATION and [Proposed] Order Regarding Service of Complaint and Time to Answer by Bruno Hofmann, Novartis Pharma AG. (Gans, Nancy) (Entered: 08/17/2004)
08/19/2004	<u>45</u>	MOTION For Entry of Scheduling Order by Lead Plaintiffs. (Attachments: # 1 Exhibit A (Proposed Scheduling Order))(Gans, Nancy) (Entered: 08/19/2004)
08/19/2004	<u>46</u>	MEMORANDUM in Support re 45 MOTION For Entry of Scheduling Order filed by Lead Plaintiffs. (Gans, Nancy) (Entered: 08/19/2004)
08/20/2004	47	Opposition re 45 MOTION For Entry of Scheduling Order filed by PricewaterhouseCoopers, LLP. (Carroll, James) (Entered: 08/20/2004)
08/26/2004	<u>49</u>	Judge Joseph L. Tauro: ORDER entered SCHEDULING ORDER: See Document for Details.(Abaid, Kim) (Entered: 08/30/2004)

08/26/2004		Motions terminated: 45 MOTION For Entry of Scheduling Order filed by Lead Plaintiffs,. SEE DOCUMENT 49 SCHEDULING ORDER. (Abaid, Kim) (Entered: 01/12/2005)
08/30/2004	<u>48</u>	MOTION for Leave to File Reply to Pricewaterhouse Coopers LLP's Opposition and Response to Plaintiffs' Motion for Entry of Scheduling Order (UNOPPOSED) by Lead Plaintiffs. (Attachments: # 1 Attachment (Lead Plaintiff's Reply to Pricewaterhouse Coopers LLP's Opposition and Response to Plaintiffs' Motino for Entry of Scheduling Order))(Gans, Nancy) (Entered: 08/30/2004)
09/01/2004		Judge Joseph L. Tauro: Electronic ORDER entered denying as moot 48 Motion for Leave to File. (Abaid, Kim) (Entered: 09/01/2004)
09/01/2004	<u>50</u>	Response by Bruno Hofmann to <u>47</u> Opposition to Motion. (Abaid, Kim) (Entered: 09/01/2004)
09/30/2004	51	NOTICE of Appearance by Andrew C. Glass, Rory J. Fitzpatrick on behalf of Novartis Pharma AG (Abaid, Kim) Additional attachment(s) added on 10/4/2004 (Abaid, Kim). (Entered: 10/04/2004)
09/30/2004	<u>52</u>	MOTION for Leave to Appear Pro Hac Vice by Vincent R. FitzPatrick Jr. Filing fee \$ 50.00, receipt number 59025. by Novartis Pharma AG. (Abaid, Kim) (Entered: 10/04/2004)
09/30/2004	53	MOTION for Leave to Appear Pro Hac Vice by Robert E. Tiedemann Filing fee \$ 50.00, receipt number 59025. by Novartis Pharma AG. (Abaid, Kim) (Entered: 10/04/2004)
09/30/2004	<u>54</u>	MOTION for Leave to Appear Pro Hac Vice by Glenn M. Kurtz Filing fee \$ 50.00, receipt number 59025. by Novartis Pharma AG.(Abaid, Kim) (Entered: 10/04/2004)
09/30/2004		Judge Joseph L. Tauro: Electronic ORDER entered granting 52 Motion for Leave to Appear Pro Hac Vice Added Vincent R. FitzPatrick for Novartis Pharma AG and Novartis Pharma AG, Robert E. Tiedemann for Novartis Pharma AG and Novartis Pharma AG, Glenn M. Kurtz for Novartis Pharma AG and Novartis Pharma AG, granting 53 Motion for Leave to Appear Pro Hac Vice Added Vincent R. FitzPatrick for Novartis Pharma AG and Novartis Pharma AG, Robert E. Tiedemann for Novartis Pharma AG and Novartis Pharma AG, granting 54 Motion for Leave to Appear Pro Hac Vice Added Vincent R. FitzPatrick for Novartis Pharma AG and Novartis Pharma AG, Robert E. Tiedemann for Novartis Pharma AG and Novartis Pharma AG, Robert E. Tiedemann for Novartis Pharma AG and Novartis Pharma AG, Glenn M. Kurtz for Novartis Pharma AG and Novartis Pharma AG, Glenn M. Kurtz for Novartis Pharma AG and Novartis Pharma AG, Glenn M. Kurtz for Novartis Pharma AG and Novartis Pharma AG, Glenn M. Kurtz for Novartis Pharma AG and Novartis Pharma AG, Glenn M. Kurtz for Novartis Pharma AG and Novartis Pharma AG, Glenn M. Kurtz for Novartis Pharma AG and Novartis Pharma AG, Glenn M. Kurtz for Novartis Pharma AG and Novartis Pharma AG, Glenn M. Kurtz for Novartis Pharma AG and Novartis Pharma AG, Glenn M. Kurtz for Novartis Pharma AG and Novartis Pharma AG, Glenn M. Kurtz for Novartis Pharma AG and Novartis Pharma AG, Glenn M. Kurtz for Novartis Pharma AG and Novartis Pharma AG, Glenn M. Kurtz for Novartis Pharma AG and Novartis Pharma AG, Glenn M. Kurtz for Novartis Pharma AG
10/22/2004	<u>55</u>	NOTICE of Appearance by Daniel H. Gold on behalf of Donna Abelli Lopolito, Alan Ades, John J. Arcari, Albert Erani, Philip Laughlin, Bernard A. Marden, Michael Sabolinski (Gold, Daniel) (Entered: 10/22/2004)
10/22/2004		***Attorney Jeffrey B. Rudman for Philip Laughlin; Michael Sabolinski;

		Albert Erani; Donna Abelli Lopolito; John J. Arcari; Alan Ades; Bernard A. Marden; Philip Laughlin; Michael Sabolinski; Albert Erani; Donna Abelli Lopoloti; John J. Arcari; Alan Ades and Bernard A. Marden, Jonathan A. Shapiro for Philip Laughlin; Michael Sabolinski; Albert Erani; Donna Abelli Lopolito; John J. Arcari; Alan Ades; Bernard A. Marden; Philip Laughlin; Michael Sabolinski; Albert Erani; Donna Abelli Lopoloti; John J. Arcari; Alan Ades and Bernard A. Marden added. (Abaid, Kim) (Entered: 02/16/2005)
10/25/2004	56	AMENDED COMPLAINT (CONSOLIDATED CLASS ACTION) for Violations of Federal Securities Laws against Donna Abelli Lopolito, Alan Ades, John J. Arcari, Albert Erani, Philip Laughlin, PriceWaterhouseCoopers LLP, Michael Sabolinski, Herbert M. Stein, Alan W. Tuck, filed by Lead Plaintiffs.(Gans, Nancy) Additional attachment(s) added on 10/26/2004 (Abaid, Kim). (Entered: 10/25/2004)
10/26/2004		Notice of correction to docket made by Court staff. Correction: document 56 corrected because: document was too large. Document was broken up into sections (Abaid, Kim) (Entered: 10/26/2004)
11/05/2004	<u>57</u>	Assented-To MOTION for Extension of Time to January 14, 2005 to Respond to the Consolidated Amended Class Action Complaint by the Defendants.(Abaid, Kim) (Entered: 11/08/2004)
12/01/2004		Judge Joseph L. Tauro: Electronic ORDER entered granting 57 Motion for Extension of Time (Abaid, Kim) (Entered: 12/01/2004)
12/22/2004	58	MOTION for Leave to File to File Corrected Consolidated Amended Class Action Complaint for Violations of Federal Securities Laws by Lead Plaintiffs. (Attachments: # 1 Exhibit A (Part 1)# 2 Exhibit A (Part 2)# 3 Exhibit A (Part 3)# 4 Exhibit B (Part 1)# 5 Exhibit B (Part 2)) (Gans, Nancy) (Entered: 12/22/2004)
01/04/2005		Judge Joseph L. Tauro: ElectronicORDER entered denying as moot 36 Motion for Extension of Time to Answer, denying as moot 38 Motion to Strike, denying without prejudice 25 Motion to Dismiss. (Abaid, Kim) (Entered: 01/04/2005)
01/07/2005		Judge Joseph L. Tauro: ElectronicORDER entered granting without objection, 58 Motion for Leave to File Corrected Consolidated Amended Class Action Complaint. (Abaid, Kim) (Entered: 01/10/2005)
01/12/2005	<u>59</u>	NOTICE of Appearance by Jonathan A. Shapiro on behalf of Alan W. Tuck (Shapiro, Jonathan) (Entered: 01/12/2005)
01/14/2005	<u>60</u>	MOTION to Dismiss by PricewaterhouseCoopers, LLP, PriceWaterhouseCoopers LLP.(Carroll, James) (Entered: 01/14/2005)
01/14/2005	<u>61</u>	MEMORANDUM in Support re 60 MOTION to Dismiss filed by PricewaterhouseCoopers, LLP, PriceWaterhouseCoopers LLP. (Attachments: # 1 Tab A)(Carroll, James) (Entered: 01/14/2005)
01/14/2005	62	APPENDIX/EXHIBIT re 60 MOTION to Dismiss by PricewaterhouseCoopers, LLP, PriceWaterhouseCoopers LLP.

		(Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E# 6 Exhibit F)(Carroll, James) (Entered: 01/14/2005)
01/14/2005	<u>6</u> 3.	MOTION to Dismiss Corrected Consolidated Class Action Complaint by Herbert M. Stein, Herbert M. Stein.(Leone-Quick, Breton) (Entered: 01/14/2005)
01/14/2005	<u>64</u>	MEMORANDUM in Support re 63 MOTION to Dismiss Corrected Consolidated Class Action Complaint filed by Herbert M. Stein, Herbert M. Stein, (Leone-Quick, Breton) (Entered: 01/14/2005)
01/14/2005	<u>65</u>	APPENDIX/EXHIBIT in Support of Herbert M. Stein's Motion to Dismiss the Corrected Consolidated Amended Class Action Complaint by Herbert M. Stein, Herbert M. Stein. (Attachments: #1 #2 #3 #4 #5 #6 #7 #8)(Leone-Quick, Breton) (Entered: 01/14/2005)
01/18/2005	<u>66</u>	MOTION for Leave to File Excess Pages by Alan Ades, Alan W. Tuck, Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopoloti, John J. Arcari.(Abaid, Kim) (Entered: 01/18/2005)
01/18/2005	<u>67</u>	MOTION to Dismiss the Corrected Consolidated Amended Class Action Complaint by Alan Ades, Alan W. Tuck, Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopoloti, John J. Arcari. (Abaid, Kim) (Entered: 01/18/2005)
01/18/2005	<u>68</u>	MEMORANDUM in Support re 67 MOTION to Dismiss filed by Alan Ades, Alan W. Tuck, Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopoloti, John J. Arcari. (Attachments: # 1 Memorandum Part II)(Abaid, Kim) (Entered: 01/18/2005)
01/18/2005	<u>69</u>	APPENDIX in Support of 67 MOTION to Dismiss by Alan Ades, Alan W. Tuck, Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopoloti, John J. Arcari. (Abaid, Kim) (Entered: 01/18/2005)
01/31/2005		Judge Joseph L. Tauro: Electronic ORDER entered granting 66 Motion for Leave to File Excess Pages (Abaid, Kim) (Entered: 01/31/2005)
02/17/2005	<u>70</u>	NOTICE of Change of Address by Peter A. Lagorio and Change of Law Firm (Lagorio, Peter) (Entered: 02/17/2005)
02/24/2005	71	MOTION to Modify Scheduling Order (UNOPPOSED) by Lead Plaintiffs.(Gans, Nancy) (Entered: 02/24/2005)
02/24/2005	<u>7</u> 2	MOTION to Modify Scheduling Order (UNOPPOSED) - As Corrected by Lead Plaintiffs.(Gans, Nancy) (Entered: 02/24/2005)
02/24/2005		Motions terminated: 71 MOTION to Modify Scheduling Order (UNOPPOSED) filed by Lead Plaintiffs,. (Abaid, Kim) (Entered: 02/24/2005)
02/28/2005		Judge Joseph L. Tauro: Electronic ORDER entered granting 72 Motion for Modification (Lovett, Zita) (Entered: 02/28/2005)
03/23/2005	<u>73</u>	MOTION to Modify Scheduling Order (UNOPPOSED) by Lead Plaintiffs.(Gans, Nancy) (Entered: 03/23/2005)
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03/23/2005		Judge Joseph L. Tauro: Electronic ORDER entered granting 73 Motion for Modification (Lovett, Zita) (Entered: 03/23/2005)
04/08/2005	<u>74</u> (	MOTION for Leave to File Excess Pages (Memoranda in Excess of Twenty Pages) UNOPPOSED by Lead Plaintiffs.(Gans, Nancy) (Entered: 04/08/2005)
04/08/2005	<u>75</u>	Opposition re 67 MOTION to Dismiss, 63 MOTION to Dismiss Corrected Consolidated Class Action Complaint (CONSOLIDATED OPPOSITION) filed by Lead Plaintiffs. (Attachments: # 1 Appendix Chart - The Individual Defendants' Misrepresentations and Omissions) (Gans, Nancy) (Entered: 04/08/2005)
04/08/2005	<u>76</u>	MEMORANDUM in Opposition re 60 MOTION to Dismiss of PricewaterhouseCoopers LLP filed by Lead Plaintiffs. (Gans, Nancy) (Entered: 04/08/2005)
04/11/2005		Judge Joseph L. Tauro: Electronic ORDER entered granting 74 Motion for Leave to File Excess Pages (Abaid, Kim) (Entered: 04/12/2005)
05/03/2005	<u>77</u>	Assented to MOTION to Modify Scheduling Order by Herbert M. Stein. (Leone-Quick, Breton) (Entered: 05/03/2005)
05/05/2005		Judge Joseph L. Tauro: Electronic ORDER entered granting 77 Motion for Modification of the Scheduling Order. NO FURTHER EXTENSIONS TO BE GRANTED. (Abaid, Kim) (Entered: 05/10/2005)
05/31/2005	<u>78</u>	REPLY to Response to Motion re 60 MOTION to Dismiss filed by PricewaterhouseCoopers, LLP. (Carroll, James) (Entered: 05/31/2005)
05/31/2005	79	MOTION for Leave to File Excess Pages by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, John J. Arcari, Alan Ades, Alan W. Tuck. (Gold, Daniel) Additional attachment(s) added on 6/1/2005 (Abaid, Kim). (Entered: 05/31/2005)
05/31/2005	<u>80</u>	REPLY to Response to Motion re 67 MOTION to Dismiss the Corrected Consolidated Amended Class Action Complaint filed by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, John J. Arcari, Alan Ades, Alan W. Tuck. (Gold, Daniel) Additional attachment(s) added on 6/1/2005 (Abaid, Kim). (Entered: 05/31/2005)
05/31/2005	<u>81</u>	REPLY to Response to Motion re 63 MOTION to Dismiss Corrected Consolidated Class Action Complaint filed by Herbert M. Stein, Herbert M. Stein. (Leone-Quick, Breton) (Entered: 05/31/2005)
06/01/2005		Judge Joseph L. Tauro: Electronic ORDER entered granting 79 Motion for Leave to File Excess Pages (Abaid, Kim) (Entered: 06/01/2005)
07/01/2005	82	NOTICE of Withdrawal of Appearance Attorney Daniel H. Gold terminated. (Gold, Daniel) (Entered: 07/01/2005)
07/20/2005	8.3	Judge Joseph L. Tauro: ORDER entered 60 PricewaterhouseCoopers LLP's Motion to Dismiss is ALLOWED. 63 Motion to Dismiss Corrected Consolidated Amended Class Action Complaint is DENIED. 67 Motion
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		to Dismiss the Corrected Consolidated Amended Class Action Complaint is ALLOWED with respect to Plaintiffs' claims against Defendant Alan Ades. Plaintiffs may amend the complaint, within 30 days from the date of this order, to plead with particularity the fraudulent statements made during the Class Period for which Alan Ades is allegedly responsible. 67 Motion to Dismiss the Corrected Consolidated Amended Class Action Complaint is otherwise DENIED. (Abaid, Kim) (Entered: 07/20/2005)
07/20/2005	<u>84</u>	Judge Joseph L. Tauro: ORDER entered. MEMORANDUM AND OPINION(Abaid, Kim) (Entered: 07/20/2005)
07/27/2005	<u>85</u> .	Assented to MOTION for Extension of Time to 09/02/2005 to File Answer re 56 Amended Complaint, by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, John J. Arcari, Alan W. Tuck.(Shapiro, Jonathan) (Entered: 07/27/2005)
08/04/2005		Judge Joseph L. Tauro: Electronic ORDER entered granting 85 Motion for Extension of Time to Answer Philip Laughlin answer due 9/2/2005; Michael Sabolinski answer due 9/2/2005; Albert Erani answer due 9/2/2005; John J. Arcari answer due 9/2/2005; Herbert M. Stein answer due 9/2/2005; Alan W. Tuck answer due 9/2/2005; Donna Abelli Lopoloti answer due 9/2/2005. (Abaid, Kim) (Entered: 08/04/2005)
08/25/2005	<u>86</u>	Assented to MOTION for Extension of Time to September 16, 2005 to File Answer to the Corrected Consolidated Amended Class Action Complaint by Herbert M. Stein.(Leone-Quick, Breton) (Entered: 08/25/2005)
08/26/2005		Judge Joseph L. Tauro: Electronic ORDER entered granting 86 Motion for Extension of Time to Answer (Lovett, Zita) (Entered: 08/26/2005)
08/31/2005	<u>87</u>	MOTION for Entry of Judgment under Rule 54(b) by Alan Ades. (Shapiro, Jonathan) (Entered: 08/31/2005)
08/31/2005	88	MEMORANDUM in Support re 87 MOTION for Entry of Judgment under Rule 54(b) filed by Alan Ades. (Attachments: #1 Text of Proposed Order Granting Final Judgment in Favor of Alan Ades)(Shapiro, Jonathan) (Entered: 08/31/2005)
09/06/2005		Judge Joseph L. Tauro: Electronic ORDER entered granting 87 Motion for Entry of Judgment under Rule 54(b) (Abaid, Kim) (Entered: 09/07/2005)
09/16/2005	<u>89</u>	MOTION for Extension of Time to 09/29/05 to File Answer re 56 Amended Complaint, by Albert Erani, John J. Arcari.(Friday, Kimberly) (Entered: 09/16/2005)
09/16/2005	<u>90</u>	NOTICE of Appearance by Kimberly I. Friday on behalf of Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, John J. Arcari, Alan W. Tuck (Friday, Kimberly) (Entered: 09/16/2005)
09/16/2005	<u>91</u>	ANSWER to Amended Complaint by Donna Abelli Lopolito.(Friday, Kimberly) (Entered: 09/16/2005)

09/16/2005	<u>92</u>	ANSWER to Amended Complaint by Philip Laughlin.(Friday, Kimberly) (Entered: 09/16/2005)
09/16/2005	93	ANSWER to Amended Complaint by Michael Sabolinski.(Friday, Kimberly) (Entered: 09/16/2005)
09/16/2005	<u>94</u>	ANSWER to Amended Complaint by Alan W. Tuck.(Friday, Kimberly) (Entered: 09/16/2005)
09/16/2005	<u>95</u>	ANSWER to Complaint by Herbert M. Stein.(Leone-Quick, Breton) (Entered: 09/16/2005)
09/22/2005		Judge Joseph L. Tauro: ElectronicORDER entered granting 89 Motion for Extension of Time to Answer Albert Erani answer due 9/29/2005; John J. Arcari answer due 9/29/2005. (Lovett, Zita) (Entered: 09/22/2005)
09/29/2005	<u>96</u>	Assented to MOTION for Extension of Time to 10/20/05 to File Answer to Consolidated Amended Class Action Complaint by Albert Erani, John J. Arcari. (Shapiro, Jonathan) (Entered: 09/29/2005)
10/06/2005		Judge Joseph L. Tauro: ElectronicORDER entered granting 96 Motion for Extension of Time to Answer Albert Erani answer due 10/20/2005; John J. Arcari answer due 10/20/2005. (Abaid, Kim) (Entered: 10/11/2005)
10/18/2005	9.7	NOTICE of Appearance by Sara Jane Shanahan on behalf of John J. Arcari, John J. Arcari (Shanahan, Sara) (Entered: 10/18/2005)
10/18/2005	<u>98</u>	Assented to MOTION for Extension of Time to 11/03/05 to File Answer re 56 Amended Complaint, by John J. Arcari, John J. Arcari. (Shanahan, Sara) (Entered: 10/18/2005)
10/18/2005	<u>99</u>	NOTICE of Withdrawal of Appearance by Kimberly I. Friday Jeffrey B. Rudman, and Jonathan A. Shapiro for John J. Arcari (Friday, Kimberly) (Entered: 10/18/2005)
10/20/2005	<u>100</u>	ANSWER to Amended Complaint by Albert Erani.(Friday, Kimberly) (Entered: 10/20/2005)
11/03/2005	<u>101</u>	ANSWER to Complaint by John J. Arcari, John J. Arcari.(Shanahan, Sara) Additional attachment(s) added on 11/8/2005 (Abaid, Kim). (Entered: 11/03/2005)
11/08/2005		Notice of correction to docket made by Court staff. Correction: Docket Entry 101. corrected because: Document exceeded size limits. Document separated into sections for accessability. (Abaid, Kim) (Entered: 11/08/2005)
01/12/2006	102	NOTICE of Change of Address by Nancy F. Gans (Gans, Nancy) (Entered: 01/12/2006)
03/02/2006	103	JOINT STATEMENT re scheduling conference Pursuant to Local Rule 16.1(D). (Kolovos, Peter) (Entered: 03/02/2006)

04/06/2006		ELECTRONIC NOTICE of Scheduling Conference Scheduling Conference set for 4/25/2006 10:30 AM in Courtroom 20 before Judge Joseph L. Tauro. (Lovett, Zita) (Entered: 04/06/2006)
04/18/2006	<u>104</u>	CERTIFICATE OF CONSULTATION per Local Rule 16.1(D)(3) by Sara Jane Shanahan on behalf of John J. Arcari. (Shanahan, Sara) (Entered: 04/18/2006)
04/18/2006	1 <u>05</u>	Assented to MOTION for Leave to Appear Pro Hac Vice by Elaine Simek Kusel and Peter Sloane by Lead Plaintiffs. (Attachments: # 1 Exhibit Certification for Admission Pro Hac Vice Pursuant to Local Rule 83.5.3 of Elaine Simek Kusel# 2 Exhibit Certification for Admission Pro hac Vice Pursuant to Local Rule 83.5.3 of Peter Sloane)(Gans, Nancy) (Entered: 04/18/2006)
04/19/2006	106	CERTIFICATE OF CONSULTATION re 103 JOINT STATEMENT re scheduling conference Pursuant to Local Rule 16.1(D)(3) by Nancy F. Gans on behalf of Lead Plaintiffs. (Gans, Nancy) (Entered: 04/19/2006)
04/19/2006		Filing fee: \$ 100.00, receipt number 71906 re: 105 Motion to Appear Pro Hac Vice. (Abaid, Kim) (Entered: 04/24/2006)
04/21/2006	107	CERTIFICATE OF CONSULTATION by Breton T. Leone-Quick on behalf of Herbert M. Stein, Herbert M. Stein. (Leone-Quick, Breton) (Entered: 04/21/2006)
04/24/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 105 Motion for Leave to Appear Pro Hac Vice (Lovett, Zita) (Entered: 04/24/2006)
04/24/2006	108	CERTIFICATE OF CONSULTATION per Local Rule 16.1(D)(3) by Kimberly I. Friday on behalf of Donna Abelli Lopolito. (Friday, Kimberly) (Entered: 04/24/2006)
04/24/2006	109	CERTIFICATE OF CONSULTATION per Local Rule 16.1(D)(3) by Kimberly I. Friday on behalf of Albert Erani. (Friday, Kimberly) (Entered: 04/24/2006)
04/24/2006	110	CERTIFICATE OF CONSULTATION per Local Rule 16.1(D)(3) by Kimberly I. Friday on behalf of Philip Laughlin. (Friday, Kimberly) (Entered: 04/24/2006)
04/24/2006	111	CERTIFICATE OF CONSULTATION per Local Rule 16.1(D)(3) by Kimberly I. Friday on behalf of Alan W. Tuck. (Friday, Kimberly) (Entered: 04/24/2006)
04/25/2006	11 <u>2</u>	CERTIFICATE OF CONSULTATION per Local Rule 16.1(D)(3) by Kimberly I. Friday on behalf of Michael Sabolinski. (Friday, Kimberly) (Entered: 04/25/2006)
04/25/2006	113	MOTION for Entry of Judgment under Rule 54(b) (Unopposed) by PricewaterhouseCoopers, LLP.(Carroll, James) (Entered: 04/25/2006)
04/25/2006	114	MEMORANDUM in Support re 113 MOTION for Entry of Judgment under Rule 54(b) (Unopposed) filed by PricewaterhouseCoopers, LLP.

		(Carroll, James) (Entered: 04/25/2006)
04/26/2006	<u>115</u>	Judge Joseph L. Tauro: ORDER entered re: DISCOVERY. Parties must comply with this Court's Rule 26 Discovery Order by May 25, 2006. Third-Party discovery is permitted as discussed in open court. Except as otherwise modified, 103 Parties Joint Statement is ADOPTED. All discovery must be completed by April 25, 2007. No extensions of time will be permitted. No further discovery will be permitted without leave of this court. A Final Pre-Trial Conference will be held on April 18, 2007 at 10:00 AM in Courtroom 20 before Judge Joseph L. Tauro. (Abaid, Kim) (Entered: 04/26/2006)
04/26/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 113 Motion for Entry of Separate and Final Judgment under Rule 54(b) (Abaid, Kim) (Entered: 05/01/2006)
05/03/2006		Judge Joseph L. Tauro: Electronic ORDER entered denying as moot 98 Motion for Extension of Time to Answer (Abaid, Kim) (Entered: 05/04/2006)
05/05/2006	116	TRANSCRIPT of Pretrial Conference held on April 25, 2006 before Judge Tauro. Court Reporter: Carol Lynn Scott. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter at 617/330-1377 or the Clerk's Office. (Scalfani, Deborah) (Entered: 05/05/2006)
05/09/2006	117	Proposed Document(s) submitted by PricewaterhouseCoopers, LLP.  Document received: [Proposed] Final Judgment As To  PricewaterhouseCoopers LLP. (Matule, Matthew) (Entered: 05/09/2006)
05/10/2006	118	Judge Joseph L. Tauro: ORDER entered. Final JUDGMENT As To PricewaterhouseCoopers, LLP.(Abaid, Kim) (Entered: 05/15/2006)
05/15/2006	119	MOTION to Certify Class by Lead Plaintiffs. (Attachments: # 1 Text of Proposed Order Granting Plaintiffs' Motion For Class Certification) (Gans, Nancy) (Entered: 05/15/2006)
05/15/2006	<u>120</u>	MEMORANDUM in Support re 119 MOTION to Certify Class filed by Lead Plaintiffs. (Attachments: # 1 Milberg Weiss Bershad & Schulman, LLP Firm Resume# 2 Moulton & Gans, P.C. Firm Resume)(Gans, Nancy) (Entered: 05/15/2006)
05/19/2006	121	Proposed Document(s) submitted by Alan Ades. Document received: Proposed Final Judgment Order as to Alan Ades. (Friday, Kimberly) (Entered: 05/19/2006)
06/05/2006	<u>122</u>	Judge Joseph L. Tauro: RULE 26 DISCOVERY ORDER entered. (Abaid, Kim) (Entered: 06/06/2006)
06/06/2006	123	Judge Joseph L. Tauro: ORDER entered. FINALJUDGMENT As To Alan Ades.(Abaid, Kim) (Entered: 06/07/2006)
06/09/2006	124	Assented to MOTION for Discovery for Leave to Serve Third Party Subpoena by Lead Plaintiffs. (Attachments: # 1 Exhibit Form of

	·	Proposed Subpoena to PricewaterhouseCoopers LLP)(Gans, Nancy) (Entered: 06/09/2006)
06/13/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 124 Motion for Leave to File Serve Third Party Subpoena. (Abaid, Kim) (Entered: 06/14/2006)
06/15/2006	<u>125</u>	MOTION for Protective Order by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, Alan W. Tuck. (Attachments: # 1 Text of Proposed Order Protective Order and Ex. A)(Friday, Kimberly) (Entered: 06/15/2006)
06/16/2006	<u>126</u>	NOTICE by Lead Plaintiffs of letter to Court (Gans, Nancy) (Entered: 06/16/2006)
06/19/2006	127	Letter/request (non-motion) from Jonathan Shapiro Letter to Court. (Shapiro, Jonathan) (Entered: 06/19/2006)
06/29/2006	128	Letter/request (non-motion) from Peter Sloane, Esquire. (Gans, Nancy) (Entered: 06/29/2006)
06/29/2006	1 <u>29</u>	STIPULATION re 125 MOTION for Protective Order To Extend Time by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, Alan W. Tuck, Lead Plaintiffs. (Kolovos, Peter) (Entered: 06/29/2006)
07/07/2006	130	Joint MOTION for Extension of Time to 07/25/2006 to File Response/Reply as to 125 MOTION for Protective Order, 129 Stipulation by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, John J. Arcari, Herbert M. Stein, Alan Ades, Alan W. Tuck, Lead Plaintiffs, Donna Abelli Lopoloti, John J. Arcari.(Gans, Nancy) (Entered: 07/07/2006)
07/07/2006	<u>131</u>	Assented to MOTION to Withdraw Dr. Richard S. Conen As Lead Plaintiff and Proposed Class Representative by Lead Plaintiffs. (Gans, Nancy) (Entered: 07/07/2006)
07/07/2006	132	Assented to MOTION for Discovery To Serve Third Party Subpoenas Duces Tecum and Ad Testificandum by Lead Plaintiffs. (Gans, Nancy) (Entered: 07/07/2006)
07/10/2006	133	MOTION To Strike Lead Plaintiffs' Sworn Certifications and Preclude Reliance on Their Stock Transactions by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, Alan W. Tuck.(Friday, Kimberly) (Entered: 07/10/2006)
07/10/2006	134	MEMORANDUM in Support re 133 MOTION To Strike Lead Plaintiffs' Sworn Certifications and Preclude Reliance on Their Stock Transactions filed by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, Alan W. Tuck. (Attachments: #1 Exhibit A#2 Exhibit B#3 Exhibit C#4 Exhibit D)(Friday, Kimberly) (Entered: 07/10/2006)
07/10/2006	135	CERTIFICATE OF SERVICE by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, Alan W. Tuck re 134 Memorandum

		in Support of Motion,, 133 MOTION To Strike Lead Plaintiffs' Sworn Certifications and Preclude Reliance on Their Stock Transactions. (Friday, Kimberly) (Entered: 07/10/2006)
07/11/2006	136	MOTION for Discovery To Serve Third Party Subpoenas Duces Tecum and Ad Testificandum by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, Alan W. Tuck. (Friday, Kimberly) (Entered: 07/11/2006)
07/20/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 136 Motion to Serve Third Party Subpoenas Duces Tecum and Ad Testificandum (Abaid, Kim) (Entered: 07/25/2006)
07/21/2006	.137	Assented to MOTION for Extension of Time to July 31, 2006; September 15, 2006; October 16, 2006 to Respond to Defendants' Motion to Strike, for Defendants to Respond to Motion for Class Certification, and for Plaintiffs' to Reply re Class Certification by Lead Plaintiffs. (Gans, Nancy) (Entered: 07/21/2006)
07/24/2006	138	Assented to MOTION for Leave to Appear Pro Hac Vice by Peter Seidman by Lead Plaintiffs. (Attachments: # 1 Certification for Admission Pro Hac Vice Pursuant to Local Rule 83.5.3 of Peter Seidman)(Gans, Nancy) (Entered: 07/24/2006)
07/25/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 137 Motion for Extension of Time. (Lovett, Zita) (Entered: 07/25/2006)
07/25/2006	<u>139</u>	Withdrawal of motion: 125 MOTION for Protective Order filed by Philip Laughlin., Michael Sabolinski, Albert Erani., Alan W. Tuck., Donna Abelli Lopolito, (Friday, Kimberly) (Entered: 07/25/2006)
07/25/2006	140	Joint MOTION for Protective Order by all parties. (Attachments: # 1 Text of Proposed Order)(Friday, Kimberly) (Entered: 07/25/2006)
07/26/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 140 Motion for Protective Order (Abaid, Kim) (Entered: 07/31/2006)
07/26/2006	<u>142</u>	Judge Joseph L. Tauro: ORDER entered. JOINTPROTECTIVE ORDER.(Abaid, Kim) Additional attachment(s) added on 7/31/2006 (Abaid, Kim). (Entered: 07/31/2006)
07/27/2006		Filing fee: \$ 50.00, receipt number 73974 for 138 Assented to MOTION for Leave to Appear Pro Hac Vice by Peter Seidman (Abaid, Kim) (Entered: 07/28/2006)
07/28/2006	141	NOTICE of Change of Address by David Pastor (Pastor, David) (Entered: 07/28/2006)
07/28/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 138 Motion for Leave to Appear Pro Hac Vice Added Peter E. Seidman for Lead Plaintiffs (Abaid, Kim) (Entered: 07/28/2006)
07/31/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 131 Motion to Withdraw Dr. Richard S. Conen as Lead Plaintiff and Proposed Class

		Representative. (Abaid, Kim) (Entered: 07/31/2006)
07/31/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 132 Motion to Serve Third Party Subpoenas Duces Tecum and Ad Testificandum. (Abaid, Kim) (Entered: 07/31/2006)
07/31/2006	143	Opposition re 133 MOTION To Strike Lead Plaintiffs' Sworn Certifications and Preclude Reliance on Their Stock Transactions filed by Lead Plaintiffs. (Gans, Nancy) (Entered: 07/31/2006)
07/31/2006	144	AFFIDAVIT of Peter Sloane in Opposition re 133 MOTION To Strike Lead Plaintiffs' Sworn Certifications and Preclude Reliance on Their Stock Transactions filed by Lead Plaintiffs. (Gans, Nancy) (Entered: 07/31/2006)
07/31/2006	<u>145</u>	AFFIDAVIT of John H. Bowie, Jr. in Opposition re 133 MOTION To Strike Lead Plaintiffs' Sworn Certifications and Preclude Reliance on Their Stock Transactions filed by Lead Plaintiffs. (Gans, Nancy) (Entered: 07/31/2006)
07/31/2006	<u>146</u>	AFFIDAVIT of Richard J. Madigan in Opposition re 133 MOTION To Strike Lead Plaintiffs' Sworn Certifications and Preclude Reliance on Their Stock Transactions filed by Lead Plaintiffs. (Gans, Nancy) (Entered: 07/31/2006)
08/02/2006	<u>147</u>	Assented to MOTION for Discovery to Serve Third Party Subpoena on A.G. Edwards & Sons, Inc. by Lead Plaintiffs. (Gans, Nancy) (Entered: 08/02/2006)
08/08/2006	148	Assented to MOTION for Leave to File A Reply Memorandum in Support of Defendants' Motion to Strike Lead Plaintiffs' Sworn Certifications and Preclude Reliance On Their Stock Transactions by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, Alan W. Tuck (Friday, Kimberly) (Entered: 08/08/2006)
08/08/2006	149	REPLY to Response to Motion re 148 Assented to MOTION for Leave to File A Reply Memorandum in Support of Defendants' Motion to Strike Lead Plaintiffs' Sworn Certifications and Preclude Reliance On Their Stock Transactions, 133 MOTION To Strike Lead Plaintiffs' Sworn Certifications and Preclude Reliance on Their Stock Transactions filed by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, Alan W. Tuck. (Friday, Kimberly) (Entered: 08/08/2006)
08/08/2006	150	AFFIDAVIT of Kimberly I. Friday in Support re 148 Assented to MOTION for Leave to File A Reply Memorandum in Support of Defendants' Motion to Strike Lead Plaintiffs' Sworn Certifications and Preclude Reliance On Their Stock Transactions, 133 MOTION To Strike Lead Plaintiffs' Sworn Certifications and Preclude Reliance on Their Stock Transactions filed by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, Alan W. Tuck. (Attachments: # 1 Exhibit A# 2 Exhibit B Part I# 3 Exhibit B Part II# 4 Exhibit C Part I# 5 Exhibit C Part II# 6 Exhibit D# 7 Exhibit E)(Friday, Kimberly) (Entered: 08/08/2006)

08/08/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 148 Motion for Leave to File. (Abaid, Kim) Modified on 8/9/2006 (Abaid, Kim). (Entered: 08/09/2006)
08/09/2006	<u>151</u>	Assented to MOTION to Withdraw John H. Bowie, Jr. As Lead Plaintiff and Proposed Class Representative by Lead Plaintiffs. (Gans, Nancy) (Entered: 08/09/2006)
08/09/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 147 Motion to Serve Third Party Subpoena (Abaid, Kim) (Entered: 08/09/2006)
08/14/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 151 Motion to Withdraw John H. Bowie, Jr. as Lead Plaintiff (Abaid, Kim) (Entered: 08/14/2006)
08/16/2006	<u>152</u>	Assented to MOTION to Withdraw 133 MOTION To Strike Lead Plaintiffs' Sworn Certifications and Preclude Reliance on Their Stock Transactions As To John H. Bowie, Jr. Only by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, Alan W. Tuck. (Friday, Kimberly) (Entered: 08/16/2006)
08/18/2006	153	MOTION for Protective Order Disallowing the Depositions of Dr. Richard S. Conen and John H. Bowie, Jr. by Lead Plaintiffs.(Gans. Nancy) (Entered: 08/18/2006)
08/18/2006	154	MEMORANDUM in Support re 153 MOTION for Protective Order Disallowing the Depositions of Dr. Richard S. Conen and John H. Bowie, Jr. filed by Lead Plaintiffs. (Gans, Nancy) (Entered; 08/18/2006)
08/23/2006	<u>155</u>	Assented to MOTION for Leave to Appear Pro Hac Vice by S. Melisa Twomey by Lead Plaintiffs. (Attachments: # 1 Certification of S. Melisa Twomey pursuant to Local Rule 83.5.3 for admission pro hac vice)(Gans. Nancy) (Entered: 08/23/2006)
08/25/2006		Filing fee: \$ 50.00, receipt number 74650 for 155 Assented to MOTION for Leave to Appear Pro Hac Vice by S. Melisa Twomey (Abaid, Kim) (Entered: 08/28/2006)
08/25/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 155 Motion for Leave to Appear Pro Hac Vice Added S. Melisa Twomey for Lead Plaintiffs (Abaid, Kim) (Entered: 08/28/2006)
08/31/2006	<u>156</u>	Assented to MOTION for Extension of Time to 09/15/2006 to File Response/Reply as to 153 MOTION for Protective Order Disallowing the Depositions of Dr. Richard S. Conen and John H. Bowie, Jr. by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, Alan W. Tuck.(Friday, Kimberly) (Entered: 08/31/2006)
09/05/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 156 Motion for Extension of Time to File Response/Reply re 153 MOTION for Protective Order Disallowing the Depositions of Dr. Richard S. Conen and John H. Bowie, Jr. Responses due by 9/15/2006 (Abaid, Kim) (Entered: 09/05/2006)

09/06/2006	157	NOTICE by Lead Plaintiffs re 154 Memorandum in Support of Motion Correcting Page Omission (Attachments: #1 Exhibit Memorandum of Law in Support of Plaintiffs' Motion For Protective Order Disallowing the Deposition of Dr. Richard S. Conen and John H. Bowie, Jr.)(Gans, Nancy) (Entered: 09/06/2006)
09/06/2006	<u>158</u>	NOTICE by Lead Plaintiffs re 128 Letter/request (non-motion) of Filing of Revised Certification of Richard J. Madigan, Sr. (Attachments: # 1 Exhibit Revised Certification of Richard J. Madigan, Sr.)(Gans, Nancy) (Entered: 09/06/2006)
09/06/2006	<u>159</u>	CORRECTED - MEMORANDUM OF LAW by Lead Plaintiffs in support of 153 MOTION for Protective Order Disallowing the Depositions of Dr. Richard S. Conen and John H. Bowie, Jr (Abaid, Kim) (Entered: 09/07/2006)
09/11/2006	<u>160</u>	Assented to MOTION for Extension of Time to 09/22/06 to File Response/Reply as to 119 MOTION to Certify Class by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, John J. Arcari, Herbert M. Stein, Alan W. Tuck.(Friday, Kimberly) (Entered: 09/11/2006)
09/14/2006	<u>161</u>	Assented to MOTION to Seal Document by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, Alan W. Tuck. (Friday, Kimberly) (Entered: 09/14/2006)
09/14/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 161 Motion to Seal Document (Abaid, Kim) (Entered: 09/18/2006)
09/15/2006	<u>162</u>	NOTICE by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, John J. Arcari, Herbert M. Stein, Alan W. Tuck NOTICE OF FILING WITH CLERK'S OFFICE (Friday, Kimberly) (Entered: 09/15/2006)
09/15/2006	<u>163</u>	SEALED MEMORANDUM in Opposition re 153 MOTION for Protective Order Disallowing the Depositions of Dr. Richard S. Conen and John H. Bowie, Jr. filed by Alan W. Tuck, Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopoloti. (Abaid, Kim) (Entered: 09/18/2006)
09/15/2006	<u>164</u>	SEALED AFFIDAVIT in Support re 163 SEALED Memorandum in Opposition to Motion. (Abaid, Kim) (Entered: 09/18/2006)
09/21/2006	1 <u>65</u>	Assented to MOTION for Extension of Time to 09/26/06 to File Response/Reply as to 119 MOTION to Certify Class by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, John J. Arcari, Herbert M. Stein, Alan W. Tuck.(Friday, Kimberly) (Entered: 09/21/2006)
09/26/2006	<u>166</u>	Assented to MOTION to Seal Document by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, John J. Arcari, Herbert M. Stein, Alan W. Tuck. (Friday, Kimberly) (Entered: 09/26/2006)
09/26/2006	167	Assented to MOTION for Leave to File Excess Pages by Philip Laughlin.

		Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, John J. Arcari, Herbert M. Stein, Alan W. Tuck.(Friday, Kimberly) (Entered: 09/26/2006)
10/12/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 167 Motion for Leave to File Excess Pages (Abaid, Kim) (Entered: 10/12/2006)
10/12/2006	<u>170</u>	Assented to MOTION to Seal Reply to Defendants' Opposition To Plaintiffs' Motion For Protective Order, Assented to MOTION for Leave to File Reply to Defendants' Opposition to Plaintiffs' Motion For Protective Order by Lead Plaintiffs. (Gans, Nancy) (Entered: 10/12/2006)
10/23/2006	<u>171</u>	Assented to MOTION for Extension of Time to November 10, 2006 to File Reply In Further Support Of Class Certification, Assented to MOTION to Seal Reply In Further Support Of Class Certification by Lead Plaintiffs. (Twomey, Sedef) (Entered: 10/23/2006)
10/26/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 171 Motion for Extension of Time, granting 171 Motion to Seal (Lovett, Zita) (Entered: 10/26/2006)
10/30/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 170 Motion to Seal, granting 170 Motion for Leave to File; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document. (Lovett, Zita) (Entered: 10/30/2006)
10/30/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 160 Motion for Extension of Time to File Response/Reply, granting 165 Motion for Extension of Time to File Response/Reply, granting 166 Motion to Seal Document Responses due by 9/26/2006 (Lovett, Zita) (Entered: 10/30/2006)
10/30/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 152 Motion to Withdraw (Lovett, Zita) (Entered: 10/30/2006)
10/30/2006		Judge Joseph L. Tauro: Electronic ORDER entered withdrawing 133 Motion (Lovett, Zita) (Entered: 10/30/2006)
11/02/2006	<u>173</u>	Letter/request (non-motion) from Kim Friday Letter to Court Regarding Motion to Strike Lead Plaintiffs' Sworn Certifications and Preclude Reliance on Their Stock Transactions. (Friday, Kimberly) (Entered: 11/02/2006)
11/07/2006	<u>1</u> 74	Reply Memorandum In Further Support re 153 MOTION for Protective Order Disallowing the Depositions of Dr. Richard S. Conen and John H. Bowie, Jr. filed by Lead Plaintiffs (Gans, Nancy) Modified on 11/8/2006 (Abaid, Kim). (Entered: 11/07/2006)
11/07/2006	<u>175</u>	Assented to MOTION for Extension of Time to November 17, 2006 to File Reply In Further Support Of Motion For Class Certification by Lead Plaintiffs.(Gans, Nancy) (Entered: 11/07/2006)

11/08/2006		Notice of correction to docket made by Court staff. Correction: Docket Entry 174 corrected because: Corrected docket text to reflect document. (Abaid, Kim) (Entered: 11/08/2006)
11/08/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 175 Motion for Extension of Time (Lovett, Zita) (Entered: 11/08/2006)
11/08/2006	<u>176</u>	Assented to MOTION to Seal a Motion for Summary Judgement and Related Pleadings by John J. Arcari. (Shanahan, Sara) (Entered: 11/08/2006)
11/17/2006	177	Sealed Document - Reply Memorandum. (Abaid, Kim) (Entered: 11/17/2006)
11/17/2006	<u>178</u>	Sealed Document - Appendix. (Abaid, Kim) (Entered: 11/17/2006)
11/22/2006	179	RESPONSE to Motion re 176 Assented to MOTION to Seal a Motion for Summary Judgement and Related Pleadings Response to Defendant John J. Arcari's Motion For Summary Judgment Seeking A Continuance Pursuant To Rule 56(f) filed by Lead Plaintiffs. (Gans, Nancy) (Entered: 11/22/2006)
11/27/2006	<u>180</u>	NOTICE of Filing with the Clerk's Office by John J. Arcari. (Abaid, Kim) (Entered: 11/27/2006)
11/27/2006	<u>181</u>	SEALED MOTION - Motion for Summary Judgment on All Claims Asserted by Bruno Hofmann by John J. Arcari.(Abaid, Kim) (Entered: 11/27/2006)
11/27/2006	<u>182</u>	Sealed Document- Memorandum in Support of [181] Sealed Motion for Summary Judgment - filed by John Arcari. (Abaid, Kim) (Entered: 11/27/2006)
11/27/2006	<u>183</u>	Sealed Document - Statment of Material Facts. (Attachments: #(1) Exhibit 1# (2) Exhibit 2# (3) Exhibit 3# (4) Exhibit 4)(Abaid, Kim) (Entered: 11/27/2006)
12/06/2006	184	MOTION for Leave to File Defendants' Partially Assented-to Motion for Leave to File Surreply and to Set Briefing Deadline by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, John J. Arcari, Herbert M. Stein, Alan W. Tuck. (Shapiro, Jonathan) (Entered: 12/06/2006)
12/06/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 184 Motion for Leave to File; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document. (Lovett, Zita) (Entered: 12/06/2006)
12/19/2006	<u>185</u>	Assented to MOTION for Leave to File Reply Memorandum in Support of Motion for Summary Judgment on All Claims Asserted by Bruno Hofmann by John J. Arcari. (Shanahan, Sara) (Entered: 12/19/2006)

12/19/2006	<u>186</u>	Assented to MOTION to serve third party subpoenas and, as deemed appropriate, to take deposition of third party by Lead Plaintiffs.(Gans, Nancy) (Entered: 12/19/2006)
12/21/2006		Judge Joseph L. Tauro: Electronic ORDER entered granting 186 Motion to Serve third Party Subpoenas (Lovett, Zita) (Entered: 12/21/2006)
12/22/2006	<u>187</u>	MOTION for Leave to File Excess Pages and to File Under Seal by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, John J. Arcari, Herbert M. Stein, Alan W. Tuck. (Friday, Kimberly) (Entered: 12/22/2006)
12/22/2006	<u>188</u>	NOTICE by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, Alan W. Tuck Defendants' Notice of Filing With Clerk's Office (Friday, Kimberly) (Entered: 12/22/2006)
12/22/2006	<u>189</u>	Sealed Document - Sur-reply in Opposition to the Motion for Class Certification. (Abaid, Kim) (Entered: 12/26/2006)
01/02/2007	190	NOTICE by Philip Laughlin, Michael Sabolinski, Albert Erani, Donna Abelli Lopolito, John J. Arcari, Herbert M. Stein, Alan W. Tuck NOTICE OF SUPPLEMENTAL AUTHORITY IN SUPPORT OF DEFENDANTS' OPPOSITION TO CLASS CERTIFICATION (Friday, Kimberly) (Entered: 01/02/2007)
01/03/2007		Judge Joseph L. Tauro: Electronic ORDER entered granting 185 Motion for Leave to File; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document. (Lovett, Zita) (Entered: 01/03/2007)
01/03/2007	<u>191</u>	REPLY to Response to Motion re [181] SEALED MOTION for Summary Judgment on All Claims Asserted by Bruno Hofmann filed by John J. Arcari. (Shanahan, Sara) (Entered: 01/03/2007)
01/03/2007	<u>192</u>	AFFIDAVIT of Sara Jane Shanahan in Support re [181] SEALED MOTION for Summary Judgment on All Claims Asserted by Bruno Hofmann filed by John J. Arcari. (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3# 4 Exhibit 4)(Shanahan, Sara) (Entered: 01/03/2007)
01/03/2007	<u>193</u>	NOTICE by Lead Plaintiffs of Change of Law Firm Name (Gans, Nancy) (Entered: 01/03/2007)
01/05/2007		ELECTRONIC NOTICE of Hearing: MOTIONS HEARING: set for 2/5/2007 10:00 AM in Courtroom 20 before Judge Joseph L. Tauro. (NO CONTINUANCES WILL BE GRANTED).(Lovett, Zita) (Entered: 01/05/2007)
01/17/2007	194	Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Robert A. Wallner by Lead Plaintiffs. (Attachments: # 1 Exhibit Certification for Admission Pro Hac Vice Pursuant to Local Rule 83.5.3 of robert A. Wallner)(Gans, Nancy) (Entered: 01/17/2007)

01/18/2007	195	NOTICE by Lead Plaintiffs re 154 Memorandum in Support of Motion, 153 MOTION for Protective Order Disallowing the Depositions of Dr. Richard S. Conen and John H. Bowie, Jr. (Gans, Nancy) (Entered: 01/18/2007)
01/19/2007		Filing fee: \$ 50.00, receipt number 77749 for 194 Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Robert A. Wallner (Abaid, Kim) (Entered: 01/26/2007)
01/31/2007	196	Assented to MOTION for Leave to File Supplemental Authority In Support Of Plaintiffs' Motion For Class Certification by Lead Plaintiffs. (Attachments: # 1 Exhibit A Part 1 Transcript Pages 1-9# 2 Exhibit A Part 2 Transcript Pages 10-17# 3 Exhibit B Decision) (Twomey, Sedef) (Entered: 01/31/2007)
02/01/2007		Judge Joseph L. Tauro: Electronic ORDER entered granting 176 Motion to Seal, granting 187 Motion for Leave to File Excess Pages (Abaid, Kim) (Entered: 02/01/2007)
02/01/2007		Judge Joseph L. Tauro: Electronic ORDER entered. CHANGE IN TIME: THE MOTION HEARING SET FOR, MONDAY, FEBRUARY 5, 2007 IS NOW SCHEDULED FOR 11:00 a.m.(Lovett, Zita) (Entered: 02/01/2007)
02/02/2007		Judge Joseph L. Tauro: Electronic ORDER entered granting 196 Motion for Leave to File; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document. (Lovett, Zita) (Entered: 02/02/2007)
02/02/2007	<u>197</u>	NOTICE by Lead Plaintiffs re 119 MOTION to Certify Class, Order on Motion for Leave to File, Filed Pursuant To Leave To File Granted On February 2, 2007 Supplemental Authority In Support Of Plaintiffs' Motion For Class Certification (Attachments: # 1 Exhibit A Part 1 Transcript Pages 1-9# 2 Exhibit A Part 2 Transcript Pages 10-17# 3 Exhibit B Decision)(Twomey, Sedef) (Entered: 02/02/2007)
02/02/2007	198	MOTION for Discovery To Serve Third Party Subpoena And, As Deemed Appropriate, To Take Deposition Of Third Party by Lead Plaintiffs. (Twomey, Sedef) (Entered: 02/02/2007)
02/05/2007		Judge Joseph L. Tauro: Electronic ORDER entered granting 194 Motion for Leave to Appear Pro Hac Vice (Lovett, Zita) (Entered: 02/05/2007)
02/05/2007		ElectronicClerk's Notes for proceedings held before Judge Joseph L. Tauro: Motion Hearing held on 2/5/2007 re 119 MOTION to Certify Class filed by Lead Plaintiffs. (Court Reporter Carol Scott.) (Lovett, Zita) (Entered: 02/05/2007)
02/08/2007	<u>199</u>	Assented to MOTION for Leave to File Supplemental Authority In Further Support Of Plaintiffs' Motion For Class Certification by Lead Plaintiffs. (Attachments: # 1 Exhibit 1)(Twomey, Sedef) (Entered:

		02/08/2007)
02/20/2007	200	TRANSCRIPT of Motion Hearing held on February 5, 2007 before Judge Tauro. Court Reporter: Carol Lynn Scott. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter at 617/330-1377 or the Clerk's Office. (Scalfani, Deborah) (Entered: 02/20/2007)
02/21/2007		Judge Joseph L. Tauro: Electronic ORDER entered granting 199 Motion for Leave to File; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document. (Lovett, Zita) (Entered: 02/21/2007)
02/22/2007	<u>201</u>	NOTICE by Lead Plaintiffs re 119 MOTION to Certify Class, Order on Motion for Leave to File, Supplemental Authority in Support Of Plaintiffs' Motion For Class Certification Filed Pursuant to Leave to File Granted on February 21, 2007 (Attachments: # 1 Exhibit In re Novastar Financial Securities Litigation Class Certification Opinion)(Gans, Nancy) (Entered: 02/22/2007)
02/26/2007		Judge Joseph L. Tauro: Electronic ORDER entered granting 198 Motion for Leave to Serve Third Party Subpoenas (Abaid, Kim) (Entered: 02/26/2007)